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In re Application of

Zoppas, et al.

Application No. 10/574,889

Filed: April 7, 2006

Atty. Dkt. No.: NBG-113

OFFICE OF PETITIONS

: DECISION ON PETITION

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This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed October 3, 2011.

The Notice of Abandonment mailed August 25, 2011 indicates that the application is abandoned for failure to timely a proper reply to the Notice of Allowance mailed May 11, 2011.

Petitioners assert a reply to the Notice of Allowance was timely submitted August 11, 2011 and have provided a copy of the reply.

Petitioners arguments have been carefully considered and found persuasive. It is noted that the referenced reply appears to have been received by the USPTO on August 26, 2011, after the time period for reply set forth in the Notice of Allowance. However, as the reply contains a certificate of mailing in conformance with 37 CFR 1.8, the reply is accepted as having been timely filed.

In view of the evidence presented, the petition to withdraw the holding of abandonment is hereby GRANTED.

The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

The application file is being forwarded to the Office of Data Management for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions